

116TH CONGRESS
2D SESSION

S. 481

AN ACT

To encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Nicholas and Zachary
3 Burt Memorial Carbon Monoxide Poisoning Prevention
4 Act of 2019”.

5 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Carbon monoxide is a colorless, odorless gas
8 produced by burning any fuel. Exposure to unhealth-
9 thy levels of carbon monoxide can lead to carbon
10 monoxide poisoning, a serious health condition that
11 could result in death.

12 (2) Unintentional carbon monoxide poisoning
13 from motor vehicles and improper operation of fuel-
14 burning appliances, such as furnaces, water heaters,
15 portable generators, and stoves, annually kills more
16 than 400 individuals and sends approximately
17 15,000 individuals to hospital emergency rooms for
18 treatment.

19 (3) Research shows that installing carbon mon-
20 oxide alarms close to the sleeping areas in residen-
21 tial homes and other dwelling units can help avoid
22 fatalities.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that Congress should promote the installation of car-
25 bon monoxide alarms in residential homes and dwelling
26 units across the United States in order to promote the

1 health and public safety of citizens throughout the United
2 States.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) CARBON MONOXIDE ALARM.—The term
6 “carbon monoxide alarm” means a device or system
7 that—

8 (A) detects carbon monoxide; and

9 (B) is intended to sound an alarm at a
10 carbon monoxide concentration below a con-
11 centration that could cause a loss of the ability
12 to react to the dangers of carbon monoxide ex-
13 posure.

14 (2) COMMISSION.—The term “Commission”
15 means the Consumer Product Safety Commission.

16 (3) COMPLIANT CARBON MONOXIDE ALARM.—
17 The term “compliant carbon monoxide alarm”
18 means a carbon monoxide alarm that complies with
19 the most current version of—

20 (A) the Standard for Single and Multiple
21 Station Carbon Monoxide Alarms of the Amer-
22 ican National Standards Institute and UL
23 (ANSI/UL 2034), or any successor standard;
24 and

1 (B) the Standard for Gas and Vapor De-
 2 tectors and Sensors of the American National
 3 Standards Institute and UL (ANSI/UL 2075),
 4 or any successor standard.

5 (4) DWELLING UNIT.—The term “dwelling
 6 unit”—

7 (A) means a room or suite of rooms used
 8 for human habitation; and

9 (B) includes—

10 (i) a single family residence;

11 (ii) each living unit of a multiple fam-
 12 ily residence, including an apartment build-
 13 ing; and

14 (iii) each living unit in a mixed use
 15 building.

16 (5) FIRE CODE ENFORCEMENT OFFICIALS.—
 17 The term “fire code enforcement officials” means of-
 18 ficials of the fire safety code enforcement agency of
 19 a State or local government or a Tribal organization.

20 (6) INTERNATIONAL FIRE CODE.—The term
 21 “IFC” means—

22 (A) the 2015 or 2018 edition of the Inter-
 23 national Fire Code published by the Inter-
 24 national Code Council; or

1 (B) any amended or similar successor code
2 pertaining to the proper installation of carbon
3 monoxide alarms in dwelling units.

4 (7) INTERNATIONAL RESIDENTIAL CODE.—The
5 term “IRC” means—

6 (A) the 2015 or 2018 edition of the Inter-
7 national Residential Code published by the
8 International Code Council; or

9 (B) any amended or similar successor code
10 pertaining to the proper installation of carbon
11 monoxide alarms in dwelling units.

12 (8) NFPA 720.—The term “NFPA 720”
13 means—

14 (A) the Standard for the Installation of
15 Carbon Monoxide Detection and Warning
16 Equipment issued by the National Fire Protec-
17 tion Association in 2012; and

18 (B) any amended or similar successor
19 standard relating to the proper installation of
20 carbon monoxide alarms in dwelling units.

21 (9) STATE.—The term “State”—

22 (A) has the meaning given the term in sec-
23 tion 3(a) of the Consumer Product Safety Act
24 (15 U.S.C. 2052(a)); and

25 (B) includes—

1 (i) the Commonwealth of the North-
 2 ern Mariana Islands; and

3 (ii) any political subdivision of a
 4 State.

5 (10) TRIBAL ORGANIZATION.—The term “Trib-
 6 al organization” has the meaning given the term in
 7 section 4(l) of the Indian Self-Determination and
 8 Education Assistance Act (25 U.S.C. 5304(l)).

9 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
 10 **SONING PREVENTION.**

11 (a) IN GENERAL.—Subject to the availability of ap-
 12 propriations authorized under subsection (f), the Commis-
 13 sion shall establish a grant program to provide assistance
 14 to States and Tribal organizations that are eligible under
 15 subsection (b) to carry out the carbon monoxide poisoning
 16 prevention activities described in subsection (e).

17 (b) ELIGIBILITY.—For the purposes of this section,
 18 an eligible State or Tribal organization is any State or
 19 Tribal organization that—

20 (1) demonstrates to the satisfaction of the
 21 Commission that the State or Tribal organization
 22 has adopted a statute or a rule, regulation, or simi-
 23 lar measure with the force and effect of law, requir-
 24 ing compliant carbon monoxide alarms to be in-

1 stalled in dwelling units in accordance with NFPA
2 72, the IFC, or the IRC; and

3 (2) submits an application—

4 (A) to the Commission at such time, in
5 such form, and containing such additional in-
6 formation as the Commission may require; and

7 (B) that may be filed on behalf of the
8 State or Tribal organization by the fire safety
9 code enforcement agency of that State or Tribal
10 organization.

11 (c) GRANT AMOUNT.—The Commission shall deter-
12 mine the amount of each grant awarded under this sec-
13 tion.

14 (d) SELECTION OF GRANT RECIPIENTS.—In select-
15 ing eligible States and Tribal organizations for the award
16 of grants under this section, the Commission shall give
17 favorable consideration to an eligible State or Tribal orga-
18 nization that demonstrates a reasonable need for funding
19 under this section and that—

20 (1) requires the installation of a one or more
21 compliant carbon monoxide alarms in a new or exist-
22 ing educational facility, childcare facility, health care
23 facility, adult dependent care facility, government
24 building, restaurant, theater, lodging establishment,
25 or dwelling unit—

1 (A) within which a fuel-burning appliance,
 2 including a furnace, boiler, water heater, fire-
 3 place, or any other apparatus, appliance, or de-
 4 vice that burns fuel, is installed; or

5 (B) that has an attached garage; and

6 (2) has developed a strategy to protect vulner-
 7 able populations, such as children, the elderly, or
 8 low-income households, from exposure to unhealthy
 9 levels of carbon monoxide.

10 (e) USE OF GRANT FUNDS.—

11 (1) IN GENERAL.—Subject to paragraph (2), an
 12 eligible State or Tribal organization to which a grant
 13 is awarded under this section may use the grant—

14 (A) to purchase and install compliant car-
 15 bon monoxide alarms in the dwelling units of
 16 low-income families or elderly individuals, facili-
 17 ties that commonly serve children or the elderly
 18 (including childcare facilities, public schools,
 19 and senior centers);

20 (B) for the development and dissemination
 21 of training materials, instructors, and any other
 22 costs relating to the training sessions author-
 23 ized under this subsection; or

24 (C) to educate the public about—

1 (i) the risk associated with carbon
2 monoxide as a poison; and

3 (ii) the importance of proper carbon
4 monoxide alarm use.

5 (2) LIMITATIONS.—

6 (A) ADMINISTRATIVE COSTS.—An eligible
7 State or Tribal organization to which a grant is
8 awarded under this section may use not more
9 than 5 percent of the grant amount to cover ad-
10 ministrative costs that are not directly related
11 to training described in paragraph (1)(B).

12 (B) PUBLIC OUTREACH.—An eligible State
13 or Tribal organization to which a grant is
14 awarded under this section may use not more
15 than 25 percent of the grant amount to cover
16 the costs of activities described in paragraph
17 (1)(D).

18 (C) STATE CONTRIBUTIONS.—An eligible
19 State to which a grant is awarded under this
20 section shall, with respect to the costs incurred
21 by the State in carrying out activities under the
22 grant, provide non-Federal contributions in an
23 amount equal to not less than 25 percent of
24 amount of Federal funds provided under the

1 grant to administer the program. This subpara-
2 graph shall not apply to Tribal organizations.

3 (f) FUNDING.—

4 (1) IN GENERAL.—The Commission shall carry
5 out this Act using amounts appropriated to the
6 Commission for each of fiscal years 2020 through
7 2024, to extent such funds are available.

8 (2) LIMITATION ON ADMINISTRATIVE EX-
9 PENSES.—In a fiscal year, not more than 10 percent
10 of the amounts appropriated or otherwise made
11 available to carry out this Act may be used for ad-
12 ministrative expenses.

13 (g) REPORT.—Not later than 1 year after the last
14 day of each fiscal year in which grants are awarded under
15 this section, the Commission shall submit to Congress a
16 report that evaluates the implementation of the grant pro-
17 gram required under this section.

Passed the Senate December 17, 2020.

Attest:

Secretary.

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